

## ASSIGNMENT

WHEREAS, WE, **MARK W. L. SMITH**, of 9107 Hillview Drive, DeSoto, Kansas 66018; and **JEFFREY C. DALBEY**, of 4445 W. 131st Terrace, Leawood, Kansas 66209-4156; and **FREDERICK B. LANIER, JR.**, of 1251 N. Marilla Lane, Olathe, Kansas have jointly invented certain new and useful improvements in a

### **ABOVE KNEE SHRINKER**

for which we are about to make application for Letters Patent of the United States; and

WHEREAS, **KNIT-RITE, INC.**, a corporation duly organized under the laws of the State of Delaware and having its principal place of business at 120 Osage Avenue, Kansas City, Kansas 66105-0900, is desirous of acquiring an interest in, to and under said invention, said application and any and all Letters Patent which may be granted for or upon said invention in the United States of America and all countries foreign thereto.

NOW, THEREFORE, to all whom it may concern be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, WE, **MARK W. L. SMITH** and **JEFFREY C. DALBEY** and **FREDERICK B. LANIER, JR.**, as co-inventors, have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said **KNIT-RITE, INC.** the full and exclusive right, title and interest, throughout the world, in, to and under the following:

(a) said invention as fully set forth and described in the application executed by each of us as co-inventors herewith preparatory to obtaining Letters Patent of the United States therefor and identified under attorney Dkt. No. 33103;

(b) said application;

- (c) any and all refilings, divisions, and continuations of said application;
  - (d) any and all Letters Patent of the United States of America which may issue from said application, refilings, divisions and continuations;
  - (e) any and all reissues of said Letters Patent of the United States of America;
  - (f) any and all applications for Letters Patent on said invention which have heretofore been filed or may hereafter be filed in any and all countries foreign to the United States of America, together with all rights to file and to claim priority in connection with said foreign-filed applications;
  - (g) any and all refilings, divisions and continuations of said foreign-filed applications;
  - (h) any and all Letters Patent of countries foreign to the United States of America which may issue from the said foreign-filed applications, refilings, divisions and continuations; and
  - (i) any and all extensions of, and additions to,
- said Letters Patent of countries foreign to the United States of America.

ALL of the above shall be held and enjoyed by said **KNIT-RITE, INC.** for its own use and behoof, and for its successors, legal representatives and assigns, to the full end of the term for which said Letters Patent may be granted, and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent in accordance with this Assignment.

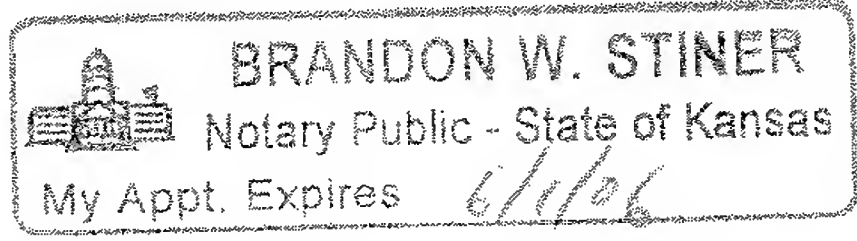
Date: 1/12/04 MARK W. L. SMITH

STATE OF Kansas )  
 ) ss.  
County of Wyandotte )

On this 23 day of January, 2003, before me personally appeared **MARK W. L. SMITH**, to me known to be the person described in and who executed the foregoing instrument, and who duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

My Commission expires: 6/1/06 Notary Public

[SEAL]



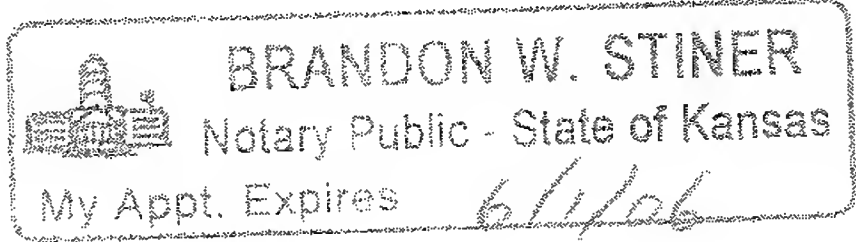
Date: 1-23-04 Jeffrey C. Dalbey  
JEFFREY C. DALBEY

STATE OF Kansas )  
 ) ss.  
County of Wyandotte )

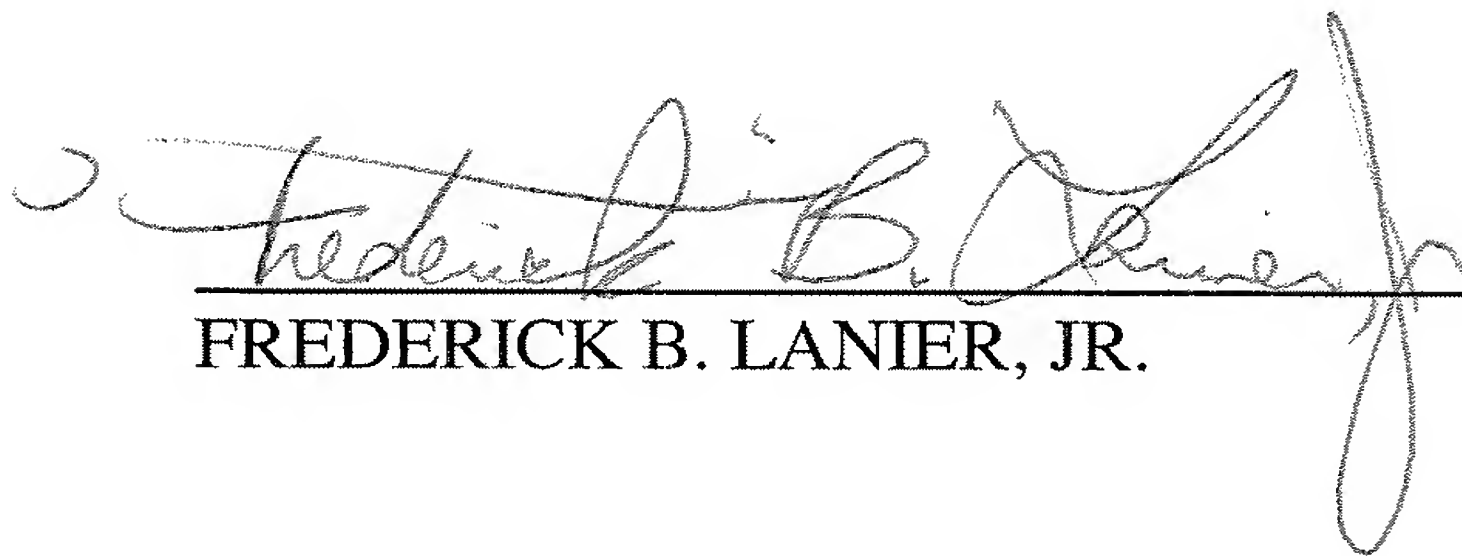
On this 23 day of January, 2003, before me personally appeared **JEFFREY C. DALBEY**, to me known to be the person described in and who executed the foregoing instrument, and who duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

My Commission expires: 6/1/06 Notary Public

[SEAL]



Date: 1/23/04

  
FREDERICK B. LANIER, JR.

STATE OF Kansas )  
 ) ss.  
County of Wichita )

On this 23 day of January, 2003, before me personally appeared **FREDERICK B. LANIER, JR.**, to me known to be the person described in and who executed the foregoing instrument, and who duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

My Commission expires:

6/1/06

[SEAL]

  
Notary Public



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application of: )  
)  
SMITH, Mark W.L., et al. )  
)  
ABOVE KNEE SHRINKER )

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Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

POWER OF ATTORNEY

The Owner of the entire right, title, and interest in the above-referenced application is KNIT-RITE, INC. (hereinafter "Assignee"), 120 Osage Avenue, Kansas City, Kansas 66105-0900. The undersigned, Ronald J. Hercules, Executive Vice President, has the authority to sign on behalf of Assignee.

An assignment of the above-referenced application from the inventors, MARK W. L. SMITH, JEFFREY C. DALBEY, and FREDERICK B. LANIER, JR., to Assignee is attached hereto.

Assignee hereby appoints the following individuals as its attorneys for the purpose of receiving all future correspondence in connection with said patent application and transacting all business in the United States Patent and Trademark Office with respect to said patent application:

Robert D. Hovey	19,228	Tracey S. Truitt	43,205
Warren N. Williams	19,156	David V. Ayres	46,529
Stephen D. Timmons	26,513	Kameron D. Kelly	44,181
John M. Collins	26,262	Gregory J. Skoch	48,267
Thomas H. Van Hoozer	32,761	Jennifer C. Bailey	52,583
Thomas B. Luebbering	37,874	David L. Terrell, Patent Agent	50,576
Andrew G. Colombo	40,565	Jason E. Gorden	46,734
Scott R. Brown	40,535		
Tracy L. Bornman	42,347		



Send correspondence to Hovey Williams LLP, 2405 Grand Blvd., Suite 400, Kansas City,  
Missouri 64108; and direct telephone calls to (816) 474-9050.

KNIT-RITE, INC.

By:   
Ronald J. Hercules, Executive Vice President

1/23/04  
DATE

(DOCKET NO. 33103)